

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.27001 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner prays the Hon’ble court may be pleased to issue Writ, order or direction more particularly one in the nature of Writ of mandamus declaring the action of the respondents more specifically respondent No.4 and 5 in threatening to demolish the Shed being laid on Survey No.133 situated at Ramchandrapuram, Medak District, as arbitrary illegal, unconstitutional and contrary to the law. And consequently direct the respondent authorities to follow the due process of law before initiating any enforcement action and grant such other reliefs as the Hon’ble Court may deems fit and proper in the circumstances of the case and pass such other reliefs as this Hon’ble court deems fit and proper in the circumstances of the case.”

2. Heard Sri Pilli Nagaraj, learned counsel appearing for the petitioner, learned Government Pleader for Municipal Administration & Urban Development appearing for the 1st respondent and Sri Sampath Prabhakar Reddy, learned standing counsel appearing for respondents 2 to 5. Perused the material available on record.

3. It is the case of the petitioner that he is the owner of open land in Survey No.133, admeasuring 240 square yards, situated at Ramchandrapuram, Medak District. Respondents 4 & 5 are interfering with the possession of the subject property and making attempts to stop the installation of the shed work and

on 29.11.2019, the 4th respondent has taken away the working instruments used for laying shed and threatened that they will come again and demolish the partly installed shed. Aggrieved thereby, the present writ petition is filed.

4. On 05.12.2019, this Court passed an interim order by granting *status quo* obtaining as on that day to be maintained by both parties.

5. In view of the above, this Writ Petition is disposed of. However, it is made clear that the petitioner, under the garb of the *status quo* orders, dated 05.12.2019, passed by this Court, shall not raise any construction in the subject property, failing which the respondent authorities are at liberty to take action, in accordance with law. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

T. AMARNATH GOUD, J

Date: 17th December, 2019

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